

RESOLUTION NO. 74846

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPROVING THE REPORT TO COUNCIL ON THE PROPOSED FIFTH AMENDMENT TO THE STRONG NEIGHBORHOODS INITIATIVE PROJECT AREA REDEVELOPMENT PLAN

WHEREAS, on June 25, 2002, the Council of the City of San Jose ("City Council") and the Board of Directors of the Redevelopment Agency of the City of San Jose ("Agency Board") adopted the Strong Neighborhoods Initiative Redevelopment Project Area ("Project Area"); and

WHEREAS, the Agency desires to amend the Redevelopment Plan for the Project Area to exclude certain territory known as Naglee Park ("Fifth Amendment"); and

WHEREAS, California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*) provides that at the time of the submission of a redevelopment plan amendment to the City Council for approval, the Agency shall submit to the City Council a report accompanying the redevelopment plan amendment containing the information required by Section 33352 of Community Redevelopment Law to the extent warranted by the plan amendment; and

WHEREAS, the Agency has prepared a report accompanying the proposed Fifth Amendment to the Strong Neighborhoods Initiative Redevelopment Plan ("Report to Council"), which is on file in the offices of the Agency, submitted to the City Council, and the City Council has reviewed and considered the Report to Council; and

WHEREAS, pursuant to the provisions of Title 21 of the Municipal Code, the Director of the City of San José Planning, Building, and Code Enforcement Department completed the review required under the California Environmental Quality Act ("CEQA") for the

proposed Fifth Amendment. It was determined that, amongst other things, the proposed Fifth Amendment does not warrant additional CEQA documentation beyond what has been previously prepared for the Redevelopment Plans for the San Jose Merged Redevelopment Project Area since the Fifth Amendment does not change the scope of any projects described within existing Redevelopment Plans nor commit to the implementation of any particular project. Moreover, the proposed Fifth Amendment would result in impacts less than those which were disclosed in the Project Area Program EIR in that the planned redevelopment activities for Naglee Park would no longer be implemented and the associated environmental impacts from construction and operation of the redevelopment activities would not occur. A copy of the environmental determination prepared in connection with the City of San Jose Planning, Building, and Code Enforcement Department's review is attached to the Report to Council as Attachment C.

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NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The Report to Council on the proposed Fifth Amendment to the Strong Neighborhoods Initiative Redevelopment Plan is approved.

ADOPTED this 24th day of March, 2009, by the following vote:

AYES: CAMPOS, CHU, KALRA, LICCARDO, NGUYEN,
OLIVERIO, PYLE, REED.

NOES: NONE.

ABSENT: CHIRCO, CONSTANT, HERRERA.

DISQUALIFIED: NONE.

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk